

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DONALD C. SCHOLOFF,  
  
Defendant.

CASE NO. CR20-0153-JCC  
  
ORDER

This matter comes before the Court *sua sponte*. Defendant is charged by Indictment with Possession of Controlled Substances with Intent to Distribute, Possession of a Firearm in Furtherance of a Drug Trafficking Crime, and Felon in Possession of a Firearm. (Dkt. No. 1.) Trial is scheduled for November 29, 2021. (Dkt. No. 18.)

Defense counsel recently withdrew in this matter. (*See* Dkt. Nos. 22, 23.) While Defendant has retained replacement counsel, as indicated in the November 16, 2021 status conference, additional time is needed to prepare for trial, in light of the change of counsel. (*See* Dkt. No. 28.) This is reasonable, given the significant discovery in this case, which includes data extracted from cellular devices, GPS and pen register/trap and trace data of cellular phones, surveillance evidence, and many hours of surveillance and pole camera videos, photographs documenting the search, and law enforcement reports. (*See* Dkt. Nos. 13, 16.)

Having thoroughly considered the relevant record, the Court FINDS that the ends of

1 justice served by continuing trial outweigh Defendant and the public's interest in a speedy trial.  
2 *See* 18 U.S.C. § 3161(h)(7)(A). Specifically, taking into account the exercise of due diligence,  
3 the failure to grant a continuance would deny Defendant's counsel reasonable time necessary for  
4 effective preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a  
5 miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i).

6 Accordingly, the Court ORDERS as follows:

- 7 1. The November 29, 2021 jury trial is CONTINUED until April 25, 2022.
- 8 2. The pretrial motions deadline is CONTINUED until March 25, 2022.
- 9 3. The period from the date of this order until April 25, 2022 is an excludable time  
10 period under 18 U.S.C. § 3161(h)(7)(A).

11 DATED this 16th day of November 2021.

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15 John C. Coughenour  
16 UNITED STATES DISTRICT JUDGE  
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